

D/F

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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WESCO DISTRIBUTION, INC.,

Plaintiff,

-against-

TUTOR PERINI CORPORATION,  
TRAVELERS CASUALTY AND SURETY  
COMPANY OF AMERICA, FEDERAL  
INSURANCE COMPANY, FIDELITY AND  
DEPOSIT COMPANY OF MARYLAND,  
ZURICH AMERICAN INSURANCE  
COMPANY, SAFECO INSURANCE  
COMPANY OF AMERICA, EATON  
ELECTRIC, INC. AND GARY EATON,

Defendants.  
-----X

Case No.1:16-cv-6743-NGG-CLP

STIPULATION OF DISMISSAL  
WITH PREJUDICE AS TO ALL  
CLAIMS AGAINST ALL  
DEFENDANTS OTHER THAN  
CLAIMS AGAINST EATON  
ELECTRIC INC AND GARY  
EATON

**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned attorneys for all of the parties who have appeared herein, pursuant to Federal Rule of Civil Procedure 41 (a), that whereas no party is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of this action, all claims asserted against all Defendants other than Defendants Eaton Electric, Inc. and Gary Eaton, and all counterclaims related to the claims asserted in the action that could have been brought, are hereby dismissed with prejudice and without costs to any party.

[signatures on next page]

Dated: New York, New York  
January 6, 2017

TODD & LEVI, LLP

By: 

Jit Levi

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s/Nicholas G. Garaufis

1/16/17

CASTLE & ASSOCIATES, A  
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By: 

Robert Nida

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Defendants Eaton Electric Inc and Gary Eaton  
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